

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Kenneth J. ARTIS

Serial No.: 10/678,390

Filed: October 3, 2003

For: METHOD AND SYSTEM FOR
FACILITATING CREATION AND
PROMOTION OF CREATIVE
WORKS

Customer No.: 29000

Confirmation No.: 3517

Group Art Unit: 3609

Examiner: Liu, Chia-Li

Office Action mailed:

May 14, 2009

AMENDMENT AND RESPONSE AFTER FINAL OFFICE ACTION

PURSUANT TO 37 CFR 1.114

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper responds to the final Office Action dated May 14, 2009, and is being filed concurrently with an accompanying Request for Continued Examination (RCE).

Claims 1 - 17 are pending, while claims 18 - 42 and 44 have been withdrawn. Claim 1 presently stands rejected under § 112(1). Applicant filed an amendment and response after final on November 13, 2009 proposing alternative language, but the Examiner indicated that the proposed language would involve consideration of new issues and hence declined to enter the amendment. See November 20, 2009 Advisory Action.

Applicant has filed the instant RCE in part to resolve the § 112(1) issues and also to present two additional independent claims corresponding to claim 1, drawn to an alternative system and a method. These new independent claims appear herein as claims 45 and 46.

Without acquiescence in the grounds of rejection and without prejudice to pursue the original claimed subject matter at a later time (by continuation application or otherwise), claim 1 and its relevant dependent claims have been amended herein to respond to the § 112(1) rejection, thereby eliminating one issue from the Office Action and placing the claims in better condition for further prosecution or appeal. Applicant believes that, although the original claim language was proper, the amended claim language overcomes the 112(1) rejection.

The pending claims also presently stand rejected as allegedly unpatentable under 35 U.S.C. § 103(a) over U.S. Patent publication 2004/0015427 A1 (Camelio) in view of U.S. Patent 7,003,493 (Weichert), U.S. Patent publication 2002/0198763 (Pittelli), and "Official Notice". Applicant addresses these items using the new language appearing in claim 1.

Accordingly, please amend this application as shown herein. Reconsideration of the grounds of rejection is respectfully requested in view of the accompanying remarks.

Summary of Claims

| | |
|------------|-------------|
| Pending: | 1 - 17 |
| Amended: | 1 |
| Canceled: | 43 |
| Unchanged: | 2 - 17 |
| Withdrawn: | 18 - 42, 44 |
| New: | 45 - 46 |

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Remarks begin on page 20 of this paper.